

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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KAI JOCHIMS, individually and on behalf of all :  
others similarly situated, :

Plaintiff, :

v. :

21 Civ. 6360 (AKH)

OATLY GROUP AB, TONI PETERSSON, :  
CHRISTIAN HANKE, FREDRIK BERG, :  
STEVEN CHU, ANN CHUNG, BERNARD :  
HOURS, HANNAH JONES, MATTIAS :  
KLINTEMAR, PO SING (TOMAKIN) LAI, ERIC :  
MELLOUL, BJORN OSTE, FRANCES :  
RATHKE, YAWEN WU, and TIM ZHANG, :

Defendants. :

**ORDER DENYING MOTION  
FOR RECONSIDERATION**

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FRANCESCA BENTLEY, individually and on :  
behalf of all others similarly situated, :

Plaintiff, :

v. :

21 Civ. 6485 (AKH)

OATLY GROUP AB, TONI PETERSSON, :  
CHRISTIAN HANKE, FREDRIK BERG, :  
STEVEN CHU, ANN CHUNG, BERNARD :  
HOURS, HANNAH JONES, MATTIAS :  
KLINTEMAR, PO SING (TOMAKIN) LAI, ERIC :  
MELLOUL, BJORN OSTE, FRANCES :  
RATHKE, YAWEN WU, and TIM ZHANG, :

Defendants. :

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ANTHONY KOSTENDT, individually and on :  
behalf of all others similarly situated, :

Plaintiff, :

v. :

21 Civ. 7904 (AKH)

OATLY GROUP AB, TONI PETERSSON, :  
CHRISTIAN HANKE, FREDRIK BERG, :  
STEVEN CHU, ANN CHUNG, BERNARD :

HOURS, HANNAH JONES, MATTIAS :  
 KLINTEMAR, PO SING (TOMAKIN) LAI, ERIC :  
 MELLOUL, BJORN OSTE, FRANCES :  
 RATHKE, YAWEN WU, and TIM ZHANG, :  
 :  
 Defendants. :  
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ALVIN K. HELLERSTEIN, U.S.D.J.:

On December 6, 2021, I issued an Order consolidating the above-captioned cases and appointing Mario Bello as lead plaintiff, and the Scott+Scott Firm, as lead counsel. (ECF No. 37). On December 20, 2021, Robbins Geller Rudman & Dowd LLP filed a motion for reconsideration on behalf of their clients, Mark D. Hayden and Bruce R. Hipple, urging me to reconsider my December 6 Order and to appoint Hayden and Hipple as co-lead plaintiffs, and Robbins Geller Rudman & Dowd LLP, as lead counsel. (ECF No. 42).

The motion is denied. The clients on behalf of whom Robbins Geller Rudman & Dowd LLP acts have not filed complaints in this matter; they say that they were purchasers of securities in the class period — one of ADRs and the other of call options, that therefore they are members of the class, and that, if their claims were aggregated, they would be lead counsel.

The call options raise claims and defenses different from purchasers of ADRs, and cannot be paired. The party who claims ADR losses does not have as great a financial interest as the lead plaintiff. The claims of purchasers of calls are not typical in material respects to the claims of the purchasers of ADRs.

It may be appropriate later to appoint a class representative for a sub-class of purchasers of call options. Robbins Geller Rudman & Dowd LLP can move at that time.

The parties shall appear for an initial pre-trial conference on January 28, 2022, at 10 a.m., which will be held via the following call-in number:

**Call-in number: 888-363-4749**

**Access code: 7518680**

To ensure that the call proceeds smoothly and to avoid disruption, the Court directs those calling in (other than counsel) to mute their telephones. Additionally, all participants are directed to call in **5 minutes** prior to the start of the conference.

Finally, no later than January 26, 2022, at 12:00 p.m., the parties shall jointly submit to the court (via the email address [HellersteinNYSDChambers@nysd.uscourts.gov](mailto:HellersteinNYSDChambers@nysd.uscourts.gov)) a list of all counsel expected to appear on the record, along with their contact information.

### CONCLUSION

The motion for reconsideration is denied. The Clerk of the Court shall terminate ECF No. 42.

SO ORDERED.

Dated: January 24, 2022  
New York, New York

          /s/ Alvin K. Hellerstein            
ALVIN K. HELLERSTEIN  
United States District Judge